

AMENDMENT UNDER 37 C.F.R. § 1.116

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application:

Claims 1-56 (Cancelled)

Claim 57 (Previously Presented) An isolated DNA sequence encoding a truncated insecticidal Cry2Ae protein consisting of the amino acid sequence of the protein of SEQ ID NO: 2 from amino acid position 1 to an amino acid position between amino acid position 625 and amino acid position 632.

Claims 58-62 (Cancelled)

Claim 63 (Previously Presented) A chimeric gene comprising the DNA sequence of claim 57, wherein said DNA sequence is under the control of a promoter which can direct expression of the gene in a plant cell.

Claim 64 (Previously Presented) The chimeric gene of claim 63, further comprising a DNA encoding a targeting or transit peptide which is operably-linked to said DNA encoding said Cry2Ae protein, wherein said targeting or transit peptide is a peptide targeting to the vacuole, mitochondrion, chloroplast, plastid, or for secretion.

Claim 65 (Previously Presented) A plant cell, plant or seed transformed to comprise the chimeric gene of claim 63.

Claim 66 (Previously Presented) A plant cell, plant or seed transformed to comprise the chimeric gene of claim 64.

Claim 67 (Previously Presented) The plant cell, plant or seed of claim 65, wherein said cell, plant or seed are of corn, cotton, rice, tobacco, oilseed rape, *Brassica* species, eggplant, soybean, potato, sunflower, tomato, sugarcane, tea, beans, strawberry, clover, cucumber, watermelon, pepper, oat, barley, wheat, dahlia, gladiolus, chrysanthemum, sugarbeet, sorghum, alfalfa, or peanut.